

CRIMINAL JUSTICE TRAINING REFERENCE MANUAL

GUIDELINES FOR AUXILIARY AND PART TIME OFFICERS

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TRAINING REQUIRED FOR PART-TIME AND AUXILIARY PERSONNEL

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I. Purpose

It is the intent of the Department of Criminal Justice Services to provide guidance to all local criminal justice agencies relative to the training necessary for part-time and auxiliary law enforcement officers and deputy sheriffs in the Commonwealth of Virginia. A reference matrix is also attached on page 6.

II. Section 9.1-113

A. Introduction

This section of the Code of Virginia indicates those law enforcement officers who must comply with some form of training promulgated by the Criminal Justice Services Board. It addresses full time officers, part-time officers and deputies and auxiliary officers and deputies who carry a firearm in the performance of duty.

B. Code of Virginia states as follows:

§ 9.1-114. Compliance with minimum training standards by officers employed after July 1, 1971, by officers appointed under § [56-353](#) after July 1, 1982, and by part-time officers. Every full-time law-enforcement officer employed after July 1, 1971, officers appointed under the provisions of § [56-353](#) after July 1, 1982, and every part-time law-enforcement officer employed after July 1, 1989, shall comply with the compulsory minimum training standards established by the Board within a period of time fixed by the Board in accordance with the Administrative Process Act (§ [2.2-4000](#) et seq.). However, any part-time law-enforcement officer employed for eighty, or fewer, compensated hours in a calendar year, or any noncompensated auxiliary deputy sheriff, or noncompensated auxiliary police officer who carries a firearm in the course of his employment shall be required to have completed basic firearms training and received ongoing in-service firearms training, as defined by the Board. The Board may require law-enforcement agencies of the Commonwealth and its political subdivisions to submit rosters of their personnel and pertinent data with regard to the training status of such personnel.

C. Training, Records Maintenance, and Reporting Requirements:

1. Part-time officers working eighty one (81) or more compensated hours a year:

All such officers must comply with entry level law-enforcement training requirements. Each agency administrator shall report the appointment of all those officers working eight-one (81) or more compensated hours on a Form 21 as provided by the Department of Criminal Justice Services within ten (10) days of appointment.

2. Part-time officers working eighty (80) or fewer compensated hours a year:

All such officers must comply with the entry level law-enforcement firearms training requirements and receive on-going in-service firearms training if a firearm is carried in the performance of duty. It is the responsibility of the appointing law-enforcement agency to maintain the firearms training records of those officers who are required to comply with basic firearms training and on-going in-service firearms training.

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3. Auxiliary deputy sheriffs or noncompensated auxiliary police officers who carry a firearm in the course of such employment:

Such officers must comply with entry level law-enforcement firearms training requirements and receive on-going in-service firearms training. It is the responsibility of the appointing law-enforcement agency to maintain training records of all those who are required to comply with basic firearms training and on-going in-service firearms training.

III. Section 9.1-168

A. Introduction

State funds are provided to localities having a police department who comply with the requirements set forth in Chapter 14 of the Code. These funds are commonly referred to as "599 funds." Localities receiving such funds must acknowledge that law-enforcement officers employed either full or part-time by the locality have met the training requirements promulgated by the Criminal Justice Services Board.

B. Code of Virginia states as follows:

§ 9.1-168. Eligibility for funds. B. No city, county, or town shall receive any funds in accordance with the terms of this article unless it notifies the Department prior to July 1 each year that its law-enforcement personnel, whether full-time or part-time and whether permanently or temporarily employed, have complied with the minimum training standards as provided in §§ [9.1-102](#) and [9.1-114](#), unless such personnel are exempt from the minimum training standards as provided in §§ [9.1-113](#) and [9.1-116](#) or that an effort will be made to have its law-enforcement personnel comply with such minimum training standards during the ensuing fiscal year. Any city, county, or town failing to make an effort to comply with the minimum training standards may be declared ineligible for funding in the succeeding fiscal year by the Department..

C. Training, Records Maintenance and Reporting Requirements:

1. All full or part-time law-enforcement personnel must comply with compulsory minimum training standards for law-enforcement officers and comply with applicable in-service training standards. Each agency administrator shall report the appointment of a full or part-time law-enforcement officer on a Form 21 as provided by the Department of Criminal Justice Services within 10 days of appointment. Such officers must also comply with law-enforcement in-service training and annual firearms qualification as applicable.

IV. Section 15.2-1731

A. Introduction

This section of the Code provides for the establishment of two distinct categories of auxiliary police forces and law-enforcement officers with different powers, authorities and immunities. Further, the Code specifies the type of training required dependent upon which paragraph of the Code is used to establish the auxiliary force. Agency administrators must determine which paragraph the local governing body used in establishing its auxiliary police force.

B. Code of Virginia states as follows:

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§ 15.2-1731. *Establishment, etc., authorized; powers, authority and immunities generally.*

A. In cities, counties and towns in the Commonwealth, the governing bodies thereof, for the further preservation of the public peace, safety and good order of the community shall have the power to establish, equip and maintain auxiliary police forces, the members of which when called into service as hereinafter provided shall have all the powers and authority and all the immunities of constables at common law.

B. Such governing bodies shall also have the power to establish, equip and maintain auxiliary police forces which have all the powers and authority and all the immunities of full-time law-enforcement officers, if all such forces have met the training requirements established by the Department of Criminal Justice Services under § 9-170. Any auxiliary officer employed prior to July 1, 1987, shall be exempted from any initial training requirement, except that any such officer shall not be permitted to carry or use a firearm while serving as an auxiliary police officer unless such officer has met the firearms training requirements established in accordance with in-service training standards for law-enforcement officers as prescribed by the Criminal Justice Services Board.

C. Training, Records Maintenance and Reporting Requirements:

1. If auxiliary officers are appointed under the provisions of Paragraph A:

All such officers appointed must comply with basic firearms training and receive on-going in-service firearms training if such officers carry a firearm in the performance of duty. The requirements of §9-180 apply. It is the responsibility of the appointing law-enforcement agency to maintain training records of all auxiliary law-enforcement officers who are required to comply with basic firearms training and on-going in-service firearms training.

2. If auxiliary officers are appointed under the provision of Paragraph B:

All such officers appointed after July 1, 1987, must comply with the entry level law-enforcement training standards and comply with in-service training standards. Each agency administrator shall report the appointment of an auxiliary law-enforcement officer required to comply with the training requirements on a Form 21 as provided by the Department of Criminal Justice Services within ten (10) days of appointment.

D. Other Necessary Information

1. Officers who are required to carry firearms in the performance of duty are required to comply with the applicable training requirements prior to carrying the firearms. All officers required to comply with the entry level training requirements must complete such requirements within twelve (12) months of date of appointment.
2. Requests for exemptions of training requirements and extensions of the time required for completion of training may be requested in accordance with the requirements of existing rules.
3. All entry level training requirements, including firearms, must be completed at a Virginia certified training academy. On-going in-service firearms training requirements may be met at a Virginia certified training academy or by attending a training session provided by a Virginia certified firearms instructor.

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SUMMARY OF TRAINING REQUIREMENTS FOR PART TIME AND AUXILIARY OFFICERS AND DEPUTY SHERIFFS

Category	Form 21/31	Entry-Level Training	In-Service Training	Entry-Level Firearms	Annual Firearms	No Training
PART TIME						
§9.1-168 Law enforcement personnel employed by local units of government wishing to continue receiving 599 funds	X	X	X		X	
§9.1-114 Officer employed after 7/1/89 for 80 or fewer hours, unarmed						X
§9.1-114 Officer employed after 7/1/89 for 80 or fewer hours, armed				X	X	
§9.1-114 Officer employed after 7/1/89 for 81 or more hours, armed or unarmed	X	X	X		X	
AUXILIARY						
Noncompensated auxiliary deputy sheriff under §9.1-114				X	X	
Noncompensated auxiliary police officer, armed under §9.1-114				X	X	
Noncompensated auxiliary police officer, unarmed under §9.1-114						X
Auxiliary police officer appointed under §15.2-1731, Paragraph A, prior to 7/1/89, armed (§9.1-114 applies)				X	X	
Auxiliary police officer appointed under §15.2-1731, Paragraph A prior to 7/1/89, unarmed						X
Auxiliary police officer appointed under §15.2-1731, Paragraph A after 7/1/89, armed				X	X	
Auxiliary police officer appointed under §15.2-1731, Paragraph A after 7/1/89, unarmed						X
Auxiliary police officer appointed under §15.2-1731, Paragraph B after 7/1/87	X	X	X		X	

